

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff

V.

CHARLES VACCARO,

DROR SVORAI,

DENNIS RUGGERI,

KEVIN HAGEN,

GARY BERLLY,

YOSEF BITON,

## Defendants

Case No.: 1:20 CR 392

## CRIMINAL TRIAL ORDER

JUDGE SOLOMON OLIVER, JR.

Trial of this matter shall begin on **April 17, 2023**, at **9:00 a.m.**, in Courtroom 19A, Carl B. Stokes U. S. Court House, 801 West Superior Avenue, Cleveland, Ohio, Counsel should appear at least 30 minutes before trial time. A Final Pretrial is scheduled for **March 2, 2023**, at **12:00 p.m.** in Courtroom 19A.

General Order No. 119 of the United States District Court for the Northern District of Ohio, adopted September 11, 1990 (Jury Utilization Management Plan), provides that "plea negotiations must be completed by a date certain in advance of the scheduled trial." Accordingly, the Court will rarely accept a plea agreement submitted later than one week prior to the trial date. In the event the Court does accept such a plea on the day of trial, for good cause shown, the costs

for summoning jurors for 1 day of service shall be assessed equally against the Government and the Defendant(s), if a jury has been summoned, unless a different arrangement is agreed to by the parties.

Pursuant to Local Rule 17.1.1 counsel shall comply with each of the following requirements:

**Motions:**

Motions shall be filed on or before **April 3, 2023**

Each motion filed shall explicitly state the foundation for it, pursuant to Local Rule 12.1.

Responses to motions shall be filed on or before **April 10, 2023**

**Status Hearings:**

Status and other pretrial hearings will be scheduled as needed.

**Trial Documents:**

The following trial documents are to be submitted to the Court not later than 4:00 p.m., on **April 12, 2023:**

1. Counsel for the parties shall confer in person and agree upon a concise written statement describing the case in an impartial, easily understood manner, and submit it to the Court to be read to the jury panel prior to voir dire.
2. Counsel for the parties shall confer in person and agree upon stipulations and reduce them to writing. Such stipulations shall be signed by counsel and defendant(s) and shall be submitted to the Court.
3. Counsel for the parties shall submit written voir dire questions and jury instructions to the Court. Counsel should confer in person and, to the extent possible, agree upon a complete set of voir dire questions and jury instructions. Counsel may separately submit disputed proposed voir dire questions and jury instructions to the Court and opposing counsel, supported by legal authority.

4. Counsel for the parties shall submit to the Court appropriate memoranda, supported by legal authority regarding evidentiary questions and any other legal issues which may reasonably be anticipated to arise at trial.

**Exhibits:**

If demonstrative evidence such as models or sketches are to be used at trial, counsel shall exchange them no later than two (2) days prior to the date of trial.

All exhibits must be marked before trial in accordance with Local Rule 23.2.

Two (2) copies of all exhibits to be used at trial shall be submitted to the Court in a binder, along with an index of the exhibits, not later than the morning of the trial.

The Court will not allow exhibits to be given to the jury during trial without prior Court approval. If the Court approves such a request, sufficient copies for each juror must be provided so all jurors may view the exhibit simultaneously.

**Continuances:**

The Court will not continue a trial or hearing without a written motion stating the reason for the request. A motion for continuance due to a conflict of trial assignment dates will not be considered unless a copy of the conflicting assignment is attached. The motion shall be filed not less than fifteen (15) days after counsel becomes aware of the conflict, and not less than thirty (30) days before trial.

**IT IS SO ORDERED.**

/s/ SOLOMON OLIVER, JR.  
**UNITED STATES DISTRICT JUDGE**

December 20, 2022